

Notice of Allowability

Application No.

10/763,556

Examiner

Michael P. Ferguson

Applicant(s)

HINSBERGER ET AL.

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 22 March 2006 amendment, 29 March 2006 interview.

2. ☒ The allowed claim(s) is/are 1-7, 9-18 and 21.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some* c) ☐ None of the:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 03/29/06.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 22, 2006 has been entered.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel J. Bourque on March 29, 2006.

The application has been amended as follows:

In claim 1, in line 15 after "each have" inserted -- : --.

In claim 1, in line 17 after "support elements directly" deleted "and".

In claim 1, in line 19 after "contact sides; and" deleted "bars" and replaced with --a bar--.

In claim 1, in line 21 after "the longitudinal sides of" deleted "the bars" and replaced with --each bar--.

In claim 13, in line 1 after "A securing device" inserted --assembly--.

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In claim 13, in line 3 before "cabinet furniture" inserted --piece of--.

In claim 13, in line 13 after "element each have" inserted -- : --.

In claim 13, in line 17 after "or set pin; and" deleted "bars" and replaced with --a bar--.

In claim 13, in line 19 before "of each of the first" deleted "surfaces" and replaced with --surface--.

In claim 14, in line 1 after "The securing device" inserted --assembly--.

In claim 15, in line 1 after "The securing device" inserted --assembly--.

In claim 16, in line 1 after "The securing device" inserted --assembly--.

In claim 17, in line 1 after "The securing device" inserted --assembly--.

In claim 18, in line 1 after "The securing device" inserted --assembly--.

In claim 21, in line 10 after "elements each have" inserted -- : --.

In claim 21, in line 13 before "protruding transversely" deleted "bars" and replaced with --a bar--.

In claim 21, in line 14 after "longitudinal sides of" deleted "the bars" and replaced with --each bar--.

3. The following is an examiner's statement of reasons for allowance:

As to claim 1, Lawrence et al. (US 4,432,590) disclose the claimed securing device with the exception of the cabinet furniture including a side wall, a grooved board and a rear wall, the sidewall and grooved board each including a groove for receiving the rear wall, the groove of the sidewall and the grooved board disposed in one

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common plane, whereby the first and second support elements each have contact sides at a right angle to one another and wherein one contact side from each of the first and second support elements directly engages the rear wall.

There is no teaching or suggestion, absent the applicants' own disclosure, for one having ordinary skill in the art at the time the invention was made to modify the securing device as disclosed by Lawrence et al. to have the above mentioned elements.

As to claim 13, Morris (US 4,032,242) discloses the claimed securing device assembly with the exception of comprising a piece of cabinet furniture including a side wall, a grooved board and a rear wall, the sidewall and grooved board each including a groove for receiving the rear wall, the groove of the sidewall and the grooved board disposed in one common plane, whereby the first support element and second support element each have a bar protruding transversely from and coupled to the side strike surface of each of the first and second support element.

There is no teaching or suggestion, absent the applicants' own disclosure, for one having ordinary skill in the art at the time the invention was made to modify the securing device assembly as disclosed by Morris to have the above mentioned elements.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MPF
03/29/06



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